



State of Nebraska

NEBRASKA EQUAL OPPORTUNITY COMMISSION

NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF JUNE 20, 2014

Commissioner Yates called the meeting to order in Lincoln, Nebraska at 9:03 a.m. on June 20, 2014. It was established after a roll call that there was a quorum.

I. ROLL CALL

Commissioners Present

Royce Jeffries, Chairperson (arrived 9:15 am.)

Bette Trumble

Rita Griess

Kristin Yates, Vice Chairperson

Eric Drumheller

Staff Present

Barbara Albers, Executive Director

Paula Gardner, Unit Director

Shelley Foss, Investigator III

Gretchen Eure, Unit Director

Cat Souliere, Staff Assistant

II. AFFIDAVIT OF PUBLICATION

The Affidavit of Service from the Lincoln Journal Star was read to show that the public was made aware of the June 20, 2014 Commission meeting.

III. APPROVAL OF MINUTES

Commissioner Trumble moved to approve the May 16, 2014 Commission meeting minutes.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Yates

Nayes:

Abstained: Griess

Motion Did Not Carry

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EOE

IV. ADDITIONS OR CORRECTIONS

Under Section VII. CASE DISPOSITIONS, please add NEB 2-13/14-10-2589-H and please remove NEB 2-13/14-2-2903-H.

Under Section IX. ADMINISTRATIVE ACTIONS, B. LACK OF JURISDICTION, please add NEB 1-13/14-5-2949-PA.

Under Section IX. ADMINISTRATIVE ACTIONS, please add D. ORDER NEB 1-13/14-3-2909-PA and E. ADMINISTRATIVE DISMISSAL, NEB 1-13/14-3-2909-PA.

Under Section XIV. BUSINESS, please add 8. Pending Lawsuit and 9. Personnel Matters and change Director Evaluation to #10.

V. PUBLIC INPUT (Non Case)

Limit of 5 minutes per person for a total of a 30 minute session.

None at this meeting.

VI. INTRODUCTION TO PUBLIC INPUT (Agenda Cases)

The cases wherein a party to the case was present were moved to the front of the agenda under Section VII. CASE DISPOSITIONS.

VII. CASE DISPOSITIONS

NEB 1-13/14-9-44409 (Complainant was present.)
Commissioner Yates moved for reasonable cause.
Commissioner Trumble seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Yates, Griess
 Nays: Jeffries
 Abstained:
 Motion Carried

NEB 2-13/14-9-44272 (Respondent was present.)
Commissioner Griess moved for no reasonable cause.
Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nays:
 Abstained:
 Motion Carried

NEB 2-13/14-1-2885-PA (Respondent was present.)
Commissioner Trumble moved for no reasonable cause.
Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

NEB 1-13/14-3-2914-H (Complainant and Respondent were present.)
Commissioner Jeffries moved for no reasonable cause.
Commissioner Trumble seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

NEB 1-13/14-1-44544 (Complainant was present.)
Commissioner Trumble moved for no reasonable cause.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Griess
 Nayes:
 Abstained: Yates
 Motion Carried

NEB 2-13/14-12-44368 (Complainant and Respondent were present.)
Commissioner Jeffries moved for no reasonable cause.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

NEB 2-13/14-12-44361 (Complainant and Respondent were present.)
Commissioner Jeffries moved for no reasonable cause.
Commissioner Trumble seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Naves:
 Abstained:
 Motion Carried

NEB 2-13/14-12-44374 (Complainant was present.)
Commissioner Jeffries moved for no reasonable cause.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Naves:
 Abstained:
 Motion Carried

NEB 1-13/14-3-2912-H (Respondent was present.)
Commissioner Jeffries moved to table this case.
Commissioner Trumble seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Naves:
 Abstained:
 Motion Carried

NEB 2-13/14-2-2901-H (Complainant was present.)
Commissioner Yates moved for no reasonable cause.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates
 Naves:
 Abstained: Griess
 Motion Carried

NEB 1-13/14-4-2917-H (Complainant was present.)
Commissioner Drumheller moved for no reasonable cause.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Naves:
 Abstained:
 Motion Carried

The Commission took a short break.

NEB 1-13/14-3-2907-PA
Commissioner Griess moved for no reasonable cause.
Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Yates, Griess
 Nayes:
 Abstained: Jeffries
 Motion Carried

NEB 1-13/14-10-44443
Commissioner Jeffries moved for reasonable cause on the issues of harassment and unfavorable references.
Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

Commissioner Drumheller moved for reasonable cause on the issue of termination
Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

NEB 1-13/14-1-44608
Commissioner Trumble moved for no reasonable cause.
Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

NEB 1-13/14-12-44518
NEB 2-13/14-10-44300
NEB 3-13/14-2-44662
NEB 2-13/14-2-44575
NEB 1-13/14-12-44534
NEB 2-12/13-3-43802
NEB 2-13/14-8-44137
NEB 1-13/14-10-44426
NEB 1-13/14-4-2918-PA
NEB 1-13/14-4-2935-PA
NEB 1-13/14-4-2919-PA
NEB 2-13/14-2-2899-H
NEB 3-13/14-12-44514
NEB 2-13/14-10-44309
NEB 1-13/14-1-44615
NEB 1-13/14-3-2908-H
NEB 1-13/14-3-2911-PA
NEB 1-13/14-1-2886-PA
NEB 2-13/14-3-2904-H
NEB 2-13/14-1-2883-H
NEB 2-13/14-10-2589-H

Commissioner Yates moved for no reasonable cause on the above cases.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Naves:
 Abstained:
 Motion Carried

VIII. SUCCESSFUL AGREEMENTS

NEB 2-13/14-3-44687
NEB 2-13/14-3-44698
NEB 1-13/14-4-44870
See additions!

Commissioner Yates moved to adopt the agreements.
Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Naves:
 Abstained:
 Motion Carried

IX. ADMINISTRATIVE ACTIONS

A. WITHDRAWALS

NEB 1-13/14-4-2926-PA
NEB 3-13/14-12-44510
NEB 1-13/14-4-44881

Commissioner Yates moved to administratively close the above cases based on withdrawal by Complainant.
Commissioner Trumble seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

B. LACK OF JURISDICTION

NEB 1-13/14-4-2937-PA
NEB 1-13/14-2-44644
NEB 1-13/14-5-2949-PA

Commissioner Yates moved to administratively close the above cases based lack of jurisdiction.
Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

C. EEOC

NEB 1-13/14-7-44178
NEB 1-13/14-10-44461

Commissioner Yates moved to adopt the findings of the EEOC.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

D. ORDER

NEB 1-13/14-3-2909-PA

Commissioner Yates moved to reopen the above case.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

E. ORDER

NEB 1-13/14-3-2909-PA

Commissioner Yates moved to administratively close the above case due to lack of jurisdiction.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

X. CONCILIATION

None at this time.

XI. CONCILIATION CASES TO BE CONSIDERED FOR PUBLIC HEARING

None at this time.

XII. PUBLIC HEARING

None at this time.

XIII. CIVIL ACTION

None at this time.

XIV. BUSINESS

1. Commission Initiated Housing Complaint

Commissioner Yates moved to initiate a charge based on the discriminatory practices in zoning.
Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

2. Revision of NEOC Personnel Policy and Procedures Manual – Investigator Performance Standards

Commissioner Drumheller moved to approve the changes.
Commissioner Trumble seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

3. Approval of Instate Travel for Fiscal Year 2014/2015

Commissioner Yates moved to approve the instate travel for Fiscal Year 2014/2015.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

4. Previous Month's Budget Reports

Commissioner Yates moved to approve and accept the previous month's budget reports.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

5. Approval to Attend EEOC Conference

Commissioner Drumheller moved to approve the travel of the Director Albers and appropriate staff to the EEOC Conference.

Commissioner Yates seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nays:
 Abstained:
 Motion Carried

6. HUD Regional Conference

Director Albers told the Commission that the HUD Regional Conference might be this summer. She will provide more details when she receives them.

7. Office Security

Director Albers informed the Commission that she and the business manager have met with Omaha Building Division regarding additional safety issues. Another agency is currently blocking some of the plans we have been recommended to implement. She added that the solution may be moving the Omaha office. She indicated that the plans can be implemented in the Lincoln office.

- 8. Pending Lawsuit
- 9. Personnel Matters
- 10. Director's Evaluation

Commissioner Yates moved to go into Executive Session to discuss pending litigation, personnel matters, and the Director's evaluation for the protection of the reputations of the individuals involved. Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nays:
 Abstained:
 Motion Carried

The Commission entered Executive Session at 12:38 p.m.

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Commissioner Yates moved to return to Regular Session at 2:08 p.m.
Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

Commissioner Yates moved to increase the pay of Director Albers by 3 percent.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

XV. ADJOURNMENT

Commissioner Yates moved to adjourn June 20, 2014 Commission meeting at 2:10 p.m.
Commissioner Drumheller seconded the motion.

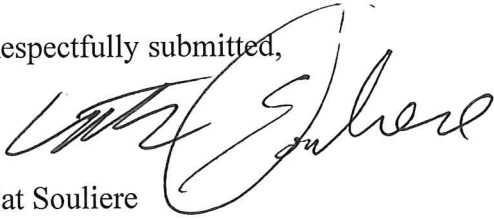
ROLL CALL: Ayes: Trumble, Drumheller, Jeffries, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

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Respectfully submitted,



Cat Souliere
Staff Assistant

June 20, 2014

Date



Barbara Albers
Executive Director

June 23, 2014

Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of June 20, 2014 have been corrected and accepted, and henceforth approved on this date.



Royce Jeffries, Chairperson

7-18-14

Date